
By: **Howard County Delegation**

Introduced and read first time: February 2, 2004

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 23, 2004

CHAPTER _____

1 AN ACT concerning

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**Howard County - Board of Education - Membership
Ho. Co. 9-04**

4 FOR the purpose of increasing the membership of the Howard County Board of
5 Education; providing for staggered terms of office for the additional members;
6 and generally relating to an increase in the membership of the Howard County
7 Board of Education.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 3-701
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2003 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Education**

16 3-701.

17 (a) The Howard County Board consists of [five] SEVEN members.

18 (b) A candidate elected to the County Board shall be a resident and registered
19 voter of Howard County. Any member who no longer resides in Howard County may
20 not continue as a member of the Board.

1 (c) Members of the Howard County Board shall be elected:

2 (1) At the general election every 2 years as required by subsection (d) of
3 this section; and

4 (2) From Howard County at large.

5 (d) (1) (i) The terms of the members are staggered as provided in this
6 subsection.

7 (ii) Each term of office begins on the first Monday in December
8 after the election of a member and until a successor is elected and qualifies.

9 (2) (i) The term of office of the member elected at the 2002 election is
10 4 years.

11 (ii) The successor to this office shall serve for a term of 4 years.

12 (3) (i) Two members shall be elected at the 2004 election.

13 (ii) The successors to these offices elected at the 2008 election shall
14 serve a term of 4 years.

15 (4) (i) [Three] FIVE members shall be elected at the 2006 election.

16 (ii) [The] SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, THE
17 successors to these offices SHALL BE elected at the 2010 election AND shall serve for a
18 term of 4 years.

19 (5) (I) [As] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
20 PARAGRAPH, AS of the 2006 election, the term of each office is 4 years.

21 (II) 1. AT THE 2006 ELECTION, THE INDIVIDUAL ELECTED AS A
22 MEMBER WHO RECEIVES THE LOWEST NUMBER OF VOTES AMONG THE FIVE
23 MEMBERS ELECTED IN THAT ELECTION SHALL SERVE FOR A TERM OF 2 YEARS.

24 2. THE SUCCESSOR TO THE OFFICE FOR THE MEMBER
25 ELECTED AT THE 2006 ELECTION WHO RECEIVES THE LOWEST NUMBER OF VOTES
26 AMONG THE FIVE MEMBERS ELECTED IN THAT ELECTION SHALL BE ELECTED AT
27 THE 2008 ELECTION AND SHALL SERVE FOR A TERM OF 4 YEARS.

28 (6) Subject to the confirmation of the County Council, the County
29 Executive of Howard County shall appoint a qualified individual to fill any vacancy
30 on the County Board for the remainder of that term and until a successor is appointed
31 and qualifies.

32 (e) (1) The State Board may remove a member of the County Board for:

33 (i) Immorality;

34 (ii) Misconduct in office;

1 (iii) Incompetency; or

2 (iv) Willful neglect of duty.

3 (2) Before removing a member, the State Board shall send the member a
4 copy of the charges against the member and give the member an opportunity within
5 10 days to request a hearing.

6 (3) If the member requests a hearing within the 10-day period:

7 (i) The State Board promptly shall hold a hearing, but a hearing
8 may not be set within 10 days after the State Board sends the member a notice of the
9 hearing; and

10 (ii) The member shall have an opportunity to be heard publicly
11 before the State Board in the member's own defense, in person or by counsel.

12 (4) A member removed under this subsection has the right to a de novo
13 review of the removal by the Circuit Court for Howard County.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2004.